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PTO/SB/05 (11-00)

Applicable for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 021261-000100US

First Inventor Yeomans, David C.

Title METHODS AND COMPOSITIONS FOR TREATING BACK PAIN

Express Mail Label No. EL 827036650 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification (Total Pages 17)  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C.113) (Total Sheets     )
5. Oath or Declaration (Total Pages     )
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper number of pages
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: \_\_\_\_ / \_\_\_\_

Prior application information: Examiner \_\_\_\_

Group Art Unit: \_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

20350

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

J. David Smith

Registration No. (Attorney/Agent)

39,839

Signature

*J. David Smith*

Date

12/05/01

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SF 1297455 v1

12-10-01

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PTO/SB/21 (08-00)

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12/05/01



JCS11 U.S. PTO

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	
		Filing Date	12/05/01
		First Named Inventor	Yeomans, David C.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	24	Attorney Docket Number	021261-000100US

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard; Application Data Sheet; Utility Patent Application and Utility Patent Application Transmittal SB/05.
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP J. David Smith	Reg. No. 39,839
Signature		
Date	12/05/01	

## CERTIFICATE OF MAILING

Express Mail Label: EL827036650		
I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date 12/03/01 and is addressed to: Assistant Commissioner for Patents, U. S. Patent and Trademark Office, Box 2327, Arlington, Virginia 22202.		
Typed or printed name	Manuel Fernandez	
Signature		Date 12/05/01

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SF 1297435 v1

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.


**Complete if Known**

Application Number	
Filing Date	12/05/01
First Named Inventor	YEOMANS, David C.
Examiner Name	
Group Art Unit	
Attorney Docket No.	021261-000100US

**TOTAL AMOUNT OF PAYMENT** (\$) 370

METHOD OF PAYMENT		FEE CALCULATION (continued)						
<b>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</b>		<b>3. ADDITIONAL FEES</b>						
Deposit Account Number	20-1430	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	
Deposit Account Name	Townsend and Townsend and Crew LLP	105	130	205	65	Surcharge - late filing fee or oath		
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		139	130	139	130	Non-English specification		
<b>2. <input type="checkbox"/> Payment Enclosed:</b>		147	2,520	147	2,520	For filing a request for reexamination		
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
<b>FEE CALCULATION</b>		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
<b>1. BASIC FILING FEE</b>		115	110	215	55	Extension for reply within first month		
Large Fee Code	Entity Fee (\$)	116	400	216	200	Extension for reply within second month		
Small Fee Code	Entity Fee (\$)	117	920	217	460	Extension for reply within third month		
101	740	201	370	201	370	Extension for reply within fourth month		
106	330	206	165	206	165	Extension for reply within fifth month		
107	510	207	255	207	255	Notice of Appeal		
108	740	208	370	208	370	Filing a brief in support of an appeal		
114	160	214	80	214	80	Request for oral hearing		
<b>SUBTOTAL (1)</b>		138	1,510	138	1,510	Petition to institute a public use proceeding		
		140	110	240	55	Petition to revive - unavoidable		
		141	1,280	241	640	Petition to revive - unintentional		
		142	1,280	242	640	Utility issue fee (or reissue)		
		143	460	243	230	Design issue fee		
		144	620	244	310	Plant issue fee		
		122	130	122	130	Petitions to the Commissioner		
		123	50	123	50	Petitions related to provisional applications		
		126	180	126	180	Submission of Information Disclosure Stmt		
		581	40	581	40	Recording each patent assignment per property (times number of properties)		
		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		
		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		
		179	740	279	370	Request for Continued Examination (RCE)		
		169	900	169	900	Request for expedited examination of a design application		
		Other fee (specify)						
		The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.						
<b>2. EXTRA CLAIM FEES</b>		<b>*Reduced by Basic Filing Fee Paid</b>						
Total Claims	13	-20**	=	0	X	\$9	=	\$0
Independent Claims	1	-3**	=	0	X	\$42	=	\$0
Multiple Dependent			X		=			
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description				
103	18	203	9	Claims in excess of 20				
102	84	202	42	Independent claims in excess of 3				
104	280	204	140	Multiple dependent claim, if not paid				
109	84	209	42	** Reissue independent claims over original patent				
110	18	210	9	** Reissue claims in excess of 20 and over original patent				
<b>SUBTOTAL (2)</b>		<b>SUBTOTAL (3)</b>						

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	J. David Smith	Registration No. (Attorney/Agent)	39,839	Telephone	415-576-0200
Signature				Date	12/05/01

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